

1978

c 58 The City of Hazeldean-March Amendment Act, 1978

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CHAPTER 58

**An Act to amend
The City of Hazeldean-March Act, 1978**

Assented to October 24th, 1978

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The City of Hazeldean-March Act, 1978*, being chapter 55, is amended by renumbering section 1 as section 1*a* and by adding thereto the following section: s. 1.
renumbered

1. In this Act, Interpre-
tation

- (a) "City" means the City of Hazeldean-March as established by this Act;
- (b) "Minister" means the Minister of Intergovernmental Affairs.

2.—(1) Section 1*a* of the said Act, as renumbered by section 1, is amended by striking out "27" in the twenty-seventh line and inserting in lieu thereof "26". s. 1*a*,
amended

(2) The said section 1*a* is further amended by adding thereto the following subsection: s. 1*a*,
amended

(2) The Hope Sideroad shall be deemed not to be a boundary road. Hope
Sideroad
not a
boundary
road

3. The said Act is further amended by adding thereto the following section: s. 1*b*,
enacted

1*b*. The City shall be an area municipality for every purpose of *The Regional Municipality of Ottawa-Carleton Act*. City
deemed area
municipality
R.S.O. 1970,
c. 407

4. Section 3 of the said Act is amended by striking out "of Hazeldean-March" in the second line and in the seventh and eighth lines. s. 3,
amended

5. Section 4 of the said Act is amended by striking out "of Hazeldean-March" in the second line. s. 4,
amended

s. 5
amended

6. Section 5 of the said Act is amended by striking out "of Hazeldean-March" in the first and second lines.

ss. 6a-6h
enacted

7. The said Act is further amended by adding thereto the following sections:

Pensions

6a.—(1) Where the City or a local board thereof employs a person theretofore employed by the Township of March, the Township of Goulbourn or the Township of Nepean or a local board of those townships, the City or local board thereof shall be deemed to have elected to participate in the Ontario Municipal Employees Retirement System on the 1st day of December, 1978, in respect of the employee if such employee was or was entitled to be a member of the Ontario Municipal Employees Retirement System on the day immediately preceding his employment with the City or local board thereof and such employee shall have uninterrupted membership or entitlement to membership, as the case may be, in the Ontario Municipal Employees Retirement System.

Sick leave
credits

(2) Every employee of the Township of March, the Township of Goulbourn, the Township of Nepean or any local board of those townships who becomes an employee of the City or a local board thereof prior to the 1st day of December, 1979 shall be entitled to have placed to his credit in the sick leave credit plan which shall be established by the City or local board thereof the sick leave credits standing to his credit in the sick leave credit plan of the township or local board thereof by which he was formerly employed.

Holiday
pay

(3) Every employee of the Township of March, the Township of Goulbourn, the Township of Nepean, or any local board of those townships who becomes an employee of the City or a local board thereof prior to the 1st day of December, 1979 shall be entitled to receive during his first year of employment with the City or local board thereof holidays with pay equivalent to those to which he would have been entitled in the township or local board thereof by which he was formerly employed.

Offer of
employment

(4) The City shall offer to employ every person who, on the 23rd day of June, 1978, was employed by the Township of March or any local board thereof and who is so employed on the 30th day of November, 1978.

Idem

(5) The City shall offer to employ every person who, on the 23rd day of June, 1978, was employed by either the Township of Goulbourn or the Township of Nepean or any local board of those townships whose functions become the

functions of the City or a local board thereof and who is so employed on the 30th day of November, 1978.

(6) Any person who accepts employment under subsection 4 or 5 shall be entitled to receive a wage or salary up to and including the expiry of a period of one year of the commencement of his employment with the City, of not less than he was receiving on the 23rd day of June, 1978.

(7) The City shall be deemed to be a municipality for the purposes of *The Ontario Municipal Employees Retirement System Act*. Application of R.S.O. 1970, c. 324

(8) Where under this section any employee, in the opinion of the Minister, experiences any difficulty or hardship with regard to the transfer of any pension rights, sick leave credits, or holiday entitlements or with regard to other matters related to employment, the Minister may by order do anything necessary to remedy or alleviate any such difficulty or hardship. Minister's orders re employee benefits

(9) Nothing in this section prevents the City or a local board thereof from terminating the employment of an employee for cause. Termination of employment for cause

6b.—(1) The City is constituted as a subsidiary planning area effective the 1st day of December, 1978, and the council thereof shall have all the powers of a planning board under *The Planning Act* and the council shall not be required to constitute a separate meeting as a planning board to implement any of the purposes or undertake the powers and duties of a planning board under *The Planning Act*. City constituted subsidiary planning area R.S.O. 1970, c. 349

(2) Notwithstanding the provisions of any other Act, the boundaries of the subsidiary planning areas constituted for the Township of Goulbourn and the Township of Nepean are hereby adjusted in accordance with the boundaries of the subsidiary planning area established under subsection 1. Adjustment of existing subsidiary planning area boundaries

6c.—(1) Every by-law of the Township of March, the Township of Goulbourn and the Township of Nepean as it exists on the 30th day of November, 1978, shall remain in force in the areas of such townships which form part of the City, and may be amended or repealed by the council of the City in so far as such by-law affects the City. Continuation of by-laws

(2) Where the Township of March, the Township of Goulbourn or the Township of Nepean has commenced procedures to enact any by-law which, prior to its enactment, requires the approval of any minister of the Crown, any Idem

provincial ministry, the Ontario Municipal Board or any provincial body or agency, and such approval has not been obtained prior to the 1st day of December, 1978, then the council of the City shall be entitled to continue the procedure to finalize such by-law of the township in so far as it pertains to the City.

Existing
speed
limits
continued
R.S.O. 1970,
c. 202

6d.—(1) Subject to subsections 2 and 3, for the purposes of section 82 of *The Highway Traffic Act*, the City shall be deemed to be a township municipality.

By-laws of
Regional
Council and
City council

(2) Notwithstanding subsection 1, the council of The Regional Municipality of Ottawa-Carleton and the council of the City may exercise any of their powers under section 82 of *The Highway Traffic Act* in respect of highways under their jurisdiction and control.

Idem

(3) Every by-law in force in the City under any provision of section 82 of *The Highway Traffic Act* that applies on the 30th day of November, 1978, to any highway or portion thereof in the City, shall continue to apply until a by-law passed by the council of The Regional Municipality of Ottawa-Carleton, or the council of the City, under the said section 82 applies thereto.

Idem

(4) Consolidation of any by-laws in which the provisions of section 82 of *The Highway Traffic Act* are incorporated, without amendment, shall be deemed not to be affected by subsection 3.

Distribution
of electrical
power

6e. Until a date to be determined by the order of the Minister, The Hydro-Electric Commission of the Township of Nepean shall continue to provide electrical power and energy to that area of the Township of Nepean amalgamated with the City.

Continuation
of municipal
services

6f.—(1) For the period from the 1st day of December, 1978 to the 31st day of December, 1978,

- (a) the City shall be responsible for the provision of all municipal services to the former Township of March and the budget of the former Township of March, established for the year 1978, shall be deemed to be the budget of the City until the 31st day of December, 1978, and the City shall accept the fiscal responsibilities of the former Township of March related to such period;

- (b) the City shall be responsible at its own expense for fire services to the entire City;
- (c) the Township of Goulbourn shall, with the exception of fire services, be responsible at its own expense for the provision of all municipal services to the area of that township amalgamated with the City; and
- (d) the Township of Nepean shall, with the exception of fire and police services, be responsible at its own expense for the provision of all municipal services to the area of that township amalgamated with the City.

(2) The first fiscal year of the City shall commence on the 1st day of January, 1979.

First
fiscal
year

(3) The Minister may, by order, determine all outstanding fiscal matters in relation to the establishment of the City that are not provided for in the report of the referee appointed by the Ontario Municipal Board, and, during the five-year period commencing on the 1st day of January, 1979, provide for the levying of rates of taxation in any area or areas of the City that are different from the rates that would have been required to be levied and the Minister may make all such provisions for transitional adjustments as may be necessary.

Transitional
adjustments

6g. Notwithstanding the provisions of *The Public Libraries Act*, the Minister may by order provide for the dissolution of the Public Library Board of the Township of March and the establishment of a public library board in the City.

Library
board
R.S.O. 1970,
c. 381

6h. The council of the City shall be deemed to be a recreation committee under *The Ministry of Culture and Recreation Act, 1974*, a committee of management of a community recreation centre under *The Community Recreation Centres Act, 1974*, and a board of park management under *The Public Parks Act* and the council shall not appoint any separate recreation committee, committee of management of a community recreation centre or board of park management under the said Acts.

Council
deemed
recreation
committee,
etc.,
1974, c. 120
1974, c. 80
R.S.O. 1970,
c. 384

6i. The Lieutenant Governor in Council, upon the recommendation of the Minister, may authorize all such acts or things not specifically provided for in this Act that are considered necessary or advisable to carry out effectively the purposes of this Act.

Miscellaneous
matters

Commence-
ment

8. This Act shall be deemed to have come into force on the 23rd day of June, 1978.

Short title

9. The short title of this Act is *The City of Hazeldean-March Amendment Act, 1978*.